

NOTE: This order is nonprecedential.

**United States Court of Appeals
for the Federal Circuit**

B.E. TECHNOLOGY, L.L.C.,
Plaintiff-Appellant

v.

FACEBOOK, INC.,
Defendant-Appellee

2018-2356

Appeal from the United States District Court for the Western District of Tennessee in No. 2:12-cv-02769-JPM-tmp, Chief Judge Jon P. McCalla.

**ON PETITION FOR PANEL REHEARING AND
REHEARING EN BANC**

Before PROST, *Chief Judge*, NEWMAN, PLAGER¹, LOURIE,
DYK, MOORE, O'MALLEY, REYNA, WALLACH, TARANTO,
CHEN, HUGHES, and STOLL, *Circuit Judges*.

PER CURIAM.

¹ Circuit Judge Plager participated only in the decision on the petition for panel rehearing.

O R D E R

Appellant B.E. Technology, L.L.C. filed a combined petition for panel rehearing and rehearing en banc. The petition was referred to the panel that heard the appeal, and thereafter the petition for rehearing en banc was referred to the circuit judges who are in regular active service.

Upon consideration thereof,

IT IS ORDERED THAT:

The petition for panel rehearing is denied.

The petition for rehearing en banc is denied.

The mandate of the court will issue on January 2, 2020.

FOR THE COURT

December 26, 2019

Date

/s/ Peter R. Marksteiner

Peter R. Marksteiner

Clerk of Court